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2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Responsible development of nuclear energy: initiatives by France

Working paper submitted by France

> *"France's vision is of a world that will not be divided between countries with nuclear technology, jealously guarding their privileges, and nations demanding a right to nuclear know-how that the others deny them. (...) In France's view, civil nuclear energy can be the cement of a new international solidarity, where each country will need the others to progress."*
>
> (President of the French Republic at the Paris Conference, 8 March 2010)

France attaches great importance to the development of the peaceful uses of nuclear energy, an available, cost-effective and environmentally friendly source of energy. It is fully committed to the implementation of article IV of the Treaty on the Non-Proliferation of Nuclear Weapons, and to the safe and responsible development of nuclear energy.

France believes that nuclear technologies have a vital contribution to make to the fulfilment of essential human needs and to sustainable development and should benefit all countries, in the fields of health, agriculture, industry, access to water and energy and protection of the environment.

I. France's nuclear cooperation: promoting access to nuclear energy

In the context of the drive to combat climate change and spiralling fossil fuel prices, France is willing to assist any country wishing to have access to nuclear energy for peaceful purposes which fully abides by its non-proliferation obligations.

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II. What France does: concrete actions towards the responsible development of nuclear energy

Support for the activities of the International Atomic Energy Agency in the field of peaceful nuclear applications

France actively supports the International Atomic Energy Agency's (IAEA) Technical Cooperation Programme and acknowledges its positive contribution to development. In addition to its participation in the Technical Cooperation Fund, France also supports several activities through voluntary contributions (placements for trainees, training, expert assignments and financing of major projects, particularly in the fields of cancer treatments and malaria control).

Promotion of access for all to civil nuclear energy

France has signed many bilateral cooperation agreements on the peaceful uses of nuclear energy: eight since 2008. These agreements cover all geographical areas.

Such agreements form the legal framework required for any long-term partnership and are designed to develop cooperation under the best conditions of safety, security and non-proliferation. The procedures for the transfer of materials and equipment to third parties are intended to avoid any diversion, and include a specific commitment to use for peaceful, non-explosive purposes.

In the interest of developing full bilateral cooperation, France encourages all its partners to supplement their comprehensive safeguards agreement with an additional protocol and to accede to all relevant international agreements in the field of nuclear energy (conventions in the field of nuclear safety, Convention on the Physical Protection of Nuclear Materials, convention on civil liability for nuclear damage, etc.).

France intends to develop its international cooperation in complete transparency, and in strict compliance with its international obligations. All agreements are subject to approval by the European Commission, in accordance with the terms of the European Atomic Energy Community (EURATOM) treaty, and are published once ratified.

France has set up a specialized entity, the French International Nuclear Agency, to assist countries wishing to have access to nuclear energy in establishing the infrastructure necessary for the safe development of civil nuclear energy.

Multilateral assurances of nuclear fuel supplies

France has made a commitment, in conjunction with its European partners, to the European Union's financial (up to 25 million euros) and technical contribution to the creation of a low enriched uranium bank under the auspices of IAEA. France also supported the Russian initiative related to the creation of a low enriched uranium bank. These projects are intended to give countries which fully meet their non-proliferation obligations secure fuel supplies.

Control of sensitive technologies

France considers that a clear distinction should be made between:

- The supply of reactors based on non-proliferating technologies (light water reactors) and the supply of the fuel required for their operation, which should be facilitated;
- And the export of enrichment and reprocessing technologies which, though not forbidden, must be strictly controlled owing to the sensitive nature of these technologies vis-à-vis non-proliferation commitments.

Participation in the development of nuclear technologies for the future

France considers that international cooperation is essential in the design of a new generation of safer, more competitive reactors, which will be more resistant to proliferation and generate less long-lasting radioactive waste. France participates in the Multinational Design Evaluation Programme, which aims to improve the efficiency and effectiveness of the safety evaluation procedure when reviewing new reactor designs. It plays an active part in multilateral initiatives in this field such as the Generation IV International Forum, the IAEA International Project on Innovative Nuclear Reactors and Fuel Cycles and the Global Nuclear Energy Partnership initiative. Regarding fusion technology, the International Thermonuclear Experimental Reactor (ITER) will be located at the European site of Cadarache, in France.

III. International Conference on Access to Civil Nuclear Energy (8 and 9 March 2010, Paris): practical assistance for countries wishing to undertake a nuclear power programme

France's position is that the peaceful use of nuclear power should not be confined to the handful of States that already possess the technology. At the same time, though, it is essential — both for the countries concerned and for the international community as a whole — for any country undertaking a civil nuclear programme to be capable of meeting the highest standards regarding safety, security, non-proliferation and protection of the environment for future generations.

On the initiative of the President of the French Republic, the International Conference on Access to Civil Nuclear Energy was held in Paris on 8 and 9 March 2010 in coordination with IAEA and with the support of the Organization for Economic Cooperation and Development, attended by all those with a stake in the responsible development of civil nuclear energy:

- 63 States, represented mainly at the ministerial level, showing the importance of a commitment at the highest level to setting up the necessary legal and political framework;
- 13 bodies with responsibility for nuclear safety issues;
- 30 research centres involved in the actual implementation of international commitments in the field of nuclear energy;
- Many representatives of the nuclear industry, civil society and public and private financial institutions.

The Conference was characterized by a fruitful dialogue, which should be continued.

Giving priority to training

"*We will create an International Nuclear Energy Institute that will include an International Nuclear Energy School. It will bring together the best teachers and researchers to provide very high quality education (...). The Institute will be an integral part of the international network of specialized Centres of Excellence now taking shape. We will set up the first Centre in Jordan.*"

(President of the French Republic, Paris Conference, 8 March 2010)

At a time when more and more countries wish to acquire nuclear energy capabilities, France, in accordance with the commitments it has made under article IV of the Non-Proliferation Treaty, is ready to respond to these expectations by making its recognized expertise available to any country which scrupulously observes all of its nuclear non-proliferation commitments, and in particular those required under the Treaty.

Far from being contradictory, the strengthening of the non-proliferation regime and the development of nuclear energy go hand in hand. As the Treaty itself says, the inalienable right of sovereign States to use nuclear energy for peaceful purposes pursuant to article IV is subject to strict compliance with the other provisions of the Treaty, particularly articles I and II. This is because the right to the peaceful uses of nuclear energy must not be exploited in order to use nuclear technologies, equipment or material for purposes contrary to the aims of the Treaty. The international community must make every effort to share the benefits offered by civil nuclear energy, while eliminating the risks of proliferation associated in particular with the fuel cycle.

That is why France hopes that the May 2010 Treaty Review Conference will provide an opportunity to reaffirm the major principles governing and facilitating the sustainable development of civil nuclear energy.

"*The responsible development of nuclear energy is a critical issue for the future of our planet. We have to work together to achieve a new nuclear governance based on a strengthened IAEA.*"

(President of the French Republic, Paris Conference, 8 March 2010)

IV. What France proposes, together with its European partners

- To assist countries in planning and assessing their various energy needs;
- To assure the responsible development of the peaceful uses of nuclear energy in the best safety, security and non-proliferation conditions;
- To actively support efforts to further develop multilateral fuel cycle mechanisms;
- To promote the highest non-proliferation, nuclear safety and security standards and most rigorous practices by assisting partners that want to set up appropriate regulatory, administrative and human environments;

- To encourage countries which have not done so to accede to all the most important relevant nuclear conventions, in particular in the fields of nuclear safety, physical protection and civil nuclear liability;
- To promote responsible management of spent fuel and nuclear waste, and to assist countries in planning waste management solutions, including at the regional level;
- To assist countries in setting up or reinforcing robust export control systems;
- To support IAEA assistance programmes and the IAEA nuclear security fund with funding and technical expertise;
- To support national, bilateral and international efforts to train the necessary skilled workforce;
- To seek to ensure the maximum appropriate transparency and access to information in the development of nuclear energy programmes;
- To promote nuclear applications in health and agriculture, in particular in cancer research in the developing world, hydrological applications, and assistance to developing countries to improve protection against radiation.